

Appl. No. 10/775,012  
Amdt. dated January 20, 2006  
Reply to Office action of October 21, 2005

REMARKS

This Amendment responds to the office action dated October 21, 2005.

During a telephone conversation with the examiner on October 14, 2005, a provisional election was made without traverse to prosecute the invention of claims 1-3. Applicant affirms the election of claims 1-3 without traverse.

Claims 4-8 are withdrawn in response to the restriction requirement and election of claims.

The examiner has rejected claims 1-3 under 35 U.S.C. §103(a) as being unpatentable over Carson (U.S. Patent No. 4,675,532) ("CARSON") in view of Wang (U.S. Patent No. 6,281,942) ("WANG").

CARSON discloses a photo-detector system that combines staring and scanning features. In CARSON, the use of the terms "dither" and "dithering" refer to the "back-and-forth excursion" (column 7, lines 60-61) or physical movement of a scanner. Further, in column 8, lines 14-25 with reference to FIG. 8, again the term "dithering" is used to describe the excursion of a scanner (see Arrow B). CARSON's use of the terms "dithering" and "dither" refer to the physical movement of a scanner and is not analogous to the use of the terms in the above-identified application where the term "dither" refers to a form of noise or erroneous signal or data which is added to sample data for the purpose of minimizing quantization error.

The context of the term "dither" in claim 1 distinguishes this use of the term from that used in CARSON. For example, claim 1 cites a "dither pattern structure" and

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“multi-dimensional array of dither pattern tiles.” However, Applicant has modified claim 1 to better distinguish the use of the term “dither” in the present application from that used in CARSON. Claim 1 now refers to an “image dither pattern structure” and “a multidimensional array of image dither pattern tiles.”

The examiner relies upon WANG as disclosing temporal threshold levels and WANG does not teach the “multi-dimensional array of image dither pattern tiles” of claim 1 either. Accordingly, the combination of CARSON and WANG does not teach all the elements of claim 1, as amended. Therefore, claim 1, as amended, is patentable in its current form.

Claim 2 is dependent on claim 1 and comprises all the limitations thereof.

Accordingly, claim 2 is now patentable for the reasons stated above in relation to claim 1.

Claim 3 is dependent on claim 1 and comprises all the limitations thereof.

Accordingly, claim 3 is now patentable for the reasons stated above in relation to claim 1.

Based on the foregoing amendments and remarks, the Applicant respectfully requests reconsideration and allowance of the present application.

Respectfully submitted,

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